

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**JAMES H. PARSLEY and MARIE E.
PARSLEY,**

Plaintiffs,

v.

BANK OF AMERICA, N.A. et al.,

Defendants.

No. 3:16-cv-00175-SB

OPINION AND ORDER

MOSMAN, J.,

On April 24, 2017, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”) [50], recommending that Defendant Ditech’s Motion for Summary Judgment [20] should be GRANTED and Plaintiffs’ Motion to Amend Complaint [28] should be DENIED. No objections to the F&R were filed.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a *de novo* determination regarding those portions of the report or specified findings or recommendations as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the

court is not required to review, *de novo* or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny with which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Beckerman's recommendation and ADOPT the F&R [50] as my own opinion. Ditech's Motion for Summary Judgment [20] is GRANTED, and Plaintiffs' Motion to Amend Complaint [28] is DENIED.

IT IS SO ORDERED.

DATED this 5th day of July, 2017.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
Chief United States District Judge